

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

DAVID VILLARREAL,)	
)	
Plaintiff,)	
)	
v.)	
)	
REPUBLIC FINANCE, LLC, and)	CASE NO. 5:21-cv-411
EXPERIAN INFORMATION)	
SOLUTIONS, INC.,)	
)	
Defendants.)	
)	
)	

DEFENDANTS' NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1441 *et seq.*, Defendant Experian Information Solutions, Inc. (“Experian”) and Defendant Republic Finance, LLC (“Republic Finance”) (collectively, “Defendants”) hereby file this Notice of Removal of the above-captioned action to this Court and state as follows:

1. Experian and Republic Finance are named Defendants in Civil Action No. 12S2100063 filed by Plaintiff David Villarreal (“Plaintiff”) in the Justice Court, Precinct 1, Place 2 for the State of Texas, County of Bexar (the “State Court Action”).
2. The Complaint in the State Court Action was filed with the Clerk of the Justice Court, Precinct 1, Place 2, Bexar County, Texas (the “State Court”) on March 9, 2021.
3. This Notice is being filed with this Court within thirty (30) days after Experian received a copy of Plaintiff’s initial pleading setting forth the claims for relief upon which Plaintiff’s action is based.
4. This Court is the proper district court for removal because the State Court Action is pending within this district.

5. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon Defendants in the State Court Action is attached hereto as Exhibit A¹.

6. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a “consumer reporting agency” within the meaning of 15 U.S.C. § 1681a(f).

7. Republic Finance is a limited liability company which regularly furnishes information to one or more consumer reporting agencies about its transactions or experiences with consumers, and therefore is a “furnisher of information” within the meaning of 15 U.S.C. § 1681s-2.

8. The claims for relief against Defendants alleged in the State Court Action arise under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 *et seq.* Thus, this Court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a).

9. Promptly after the filing of this Notice of Removal, Experian shall provide notice of the removal to Plaintiff through his attorney of record in the State Court Action, and shall file a copy of this Notice with the clerk of the Court in the State Court Action, as required by 28 U.S.C. § 1446(d).

¹ The undersigned for Experian notes that, despite repeated requests, the docket sheet was not produced by the State Court and is otherwise unattainable.

Dated: April 23, 2021

Respectfully submitted,

/s/ Gilbert A. Perales

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Republic Finance, LLC

CERTIFICATE OF SERVICE

I certify that on April 23, 2021, a true and correct copy of the foregoing was filed with the Clerk of Court via the CM/ECF system and was served on Plaintiff David Villarreal through his attorney of record, Mr. Shawn Jaffer, via e-mail correspondence and certified mail.

/s/ Gilbert A. Perales

Gilbert A. Perales